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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SAN DIEGO UNIFIED SCHOOL
DISTRICT,

Plaintiff,

v.

T.B., a minor, ALLISON BRENNEISE
and ROBERT BRENNEISE, his parents,
STEVEN WYNER, and WYNER AND
TIFFANY,

Defendants.

Case No.: 08 CV 0039 L RBB

NOTICE OF RELATED CASES

HON. JAMES LORENZ

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD: Pursuant to Civil Local Rule 40.1e, notice is hereby given that this case is related to *Tyler Brenneise, Allison Brenneise and Robert Brenneise, v. San Diego Unified School District*, Case No. 08 CV 0028 WQH (WMc), filed January 4, 2008, which is also pending before this court.

1 Both cases are appeals from the same underlying case decided in the California
2 Office of Administrative Hearings (“OAH”), *San Diego Unified School District v. Tyler*
3 *Brenneise, consolidated with Tyler Brenneise, Allison Brenneise, and Robert Brenneise v.*
4 *San Diego Unified School District*, OAH Case Nos. 2006120002/2007010848. As such,
5 they involve the same parties, concern the identical or substantially similar set of facts or
6 events, and call for the determination of identical or substantially similar questions of law
7 and fact.

8 Given these similarities, the litigation of these cases before different judges would
9 result in the duplication of labor and expense for both parties and the court. Defendants,
10 therefore, believe that an assignment of these cases to a single judge is likely to conserve
11 judicial resources and promote an efficient determination of the actions. Therefore, in
12 accordance with Civil Local Rule 40.1h, Defendants request that this case, which is the
13 lowest numbered of the two, be transferred to The Honorable William Q. Hayes, who is
14 assigned to the related case.

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17 Dated: February 14, 2008

Respectfully submitted,

18 *Wyner & Tiffany*

19 ATTORNEYS AT LAW

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21 By: /s/ Marcy J.K. Tiffany
22 Attorneys for Plaintiffs
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CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of 18 and that I am not a party to this action. On February 14, 2008, I served this Notice of Related Cases on the San Diego Unified School District by serving their counsel of record electronically, having verified on the court's CM/ECF website that such counsel is currently on the list to receive emails for this case, and that there are no attorneys on the manual notice list.

Dated: February 14, 2008

/s/ Dana H. Wilkins